S.B. Criminal Misc. Bail Application No.5330/2006
S.B. Criminal Misc. Bail Application No.5285/2006

Date : 28.11.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. M.K. Garg for the applicants.
Mr. Vishnu Kachhawaha, Public Prosecutor.

Both the bail applications under Section 438 Cr.P.C. have been filed against same FIR No.703/2006, Police Station Suratgarh, District Sri Gangangar, therefore, they are being disposed of by this common order.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The submission of learned counsel for the applicants is that on account of no confidence motion, councilors were called by the ADM and while the councilors were entering in the office, police stopped them and gave beating and on account of that beating the applicants received

many injuries and many of them suffered fractures. He submits that the applicants tried to enter into the office as they were called by a notice sent to them. He also submits that some of the applicants are ladies. He prays that the applicants may be enlarged on anticipatory bail.

On the other hand, learned Public Prosecutor has opposed the bail application and submitted that the accused applicants caused loss to the property, therefore, they should not be enlarged on bail.

I have considered the submissions made before me.

Without expressing any opinion on the merit of the case while taking into consideration the overall facts and circumstances of the present case and the manner in which the incident has taken place and the fact that the applicants were summoned by the authority, I deem it just and proper to enlarge the accused applicants on anticipatory bail.

Accordingly, it is directed that in the event of arrest of applicants (1) Mohan Lal Sarswa s/o Jaisa Ram (2) Krishan Jalap s/o Ram Pratap (3) hetan s/o Radha Krishan (4) Jagdish Gupta s/o Sadhu Ram (5) Jitendra Patni s/o Hari Krishan (6) Radha Devi w/o Babu Ram (7) Saleem Kureshi s/o Gulab Mohd. Kureshi (8) Tony Bhat s/o Surja Ram and (9) Rameshwar s/o Munshi Ram by IO/SHO in FIR No.703/2006 P.S. Suratgarh, District Sri Ganganagar, they shall be released on bail provided each of them executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.

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